

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC. CIVIL APPLN.(CONTEMPT PETITION) No 525 of 1991

in

MISC. CIVIL APPLN.(CONTEMPT PETITION)No 962 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and

MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

RAMESHBHAI SOMABHAI PATEL

Versus

PRINCIPAL, S L PRAGATI VIDYALAYA

Appearance:

MR MP PRAJAPATI for Petitioners
MR RAJESH B DESAI for Respondent No. 1
MR BA VAISHNAV for Respondent No. 2

CORAM : MR.JUSTICE B.C.PATEL and
MwR.JUSTICE R.P.DHOLAKIA

Date of decision: 12/02/98

ORAL JUDGEMENT

It is stated at the bar that applicant No.1 has migrated to U.S.A. Further, in the affidavit filed on behalf of the respondents, it is pointed out as to what amount is paid to him. It is also mentioned that the amount is paid subject to verification and hence it cannot be said that it is a fit case to initiate action against the respondents.

So far as the applicant No.2 is concerned, he has addressed a letter to the respondent school authorities, viz: Managing Trustee/Acharya, S.L. Pragati Vidyalaya, Ranip, Ahmedabad stating that he has received the entire wages which were outstanding and he has no dispute about the calculations and he has no objection if the contempt application is withdrawn by the applicants.

It is also stated on behalf of the learned advocate for the respondent School that the Government has directed the school authorities to close the school and the school is closed now. Copy of the order dated 23.1.1992 in this regard passed by the Gujarat Secondary Education Board, Gandhinagar is produced before us at Annexure II to the affidavit filed on behalf of the opponent school.

In view of what is recorded above, it can be stated that it is not a fit case to proceed further with the matter.

Rule is discharged.

csm./ -----